

**Notice of Allowability**

Application No.

09/892,585

Applicant(s)

HAYES, KENT F.

Examiner

Art Unit

Qing-Yuan Wu

2194

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/5/05.
2. ☒ The allowed claim(s) is/are 1-17, 19- 20 renumbered 1-19.
3. ☒ The drawings filed on 6/26/01 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).


\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                      |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance                        |
|   | 9. <input type="checkbox"/> Other _____  |

  
**MENG-AL T. AN**  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably accompany the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

2. Authorization for the examiner's amendment was given in a telephone interview with Ms. Marcia L. Doubet, reg. No. 40,999 on April 7, 2005.

3. The claims had been amended in accordance to the attached fax amendments filed by applicant on April 8, 2005.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Qing-Yuan Wu whose telephone number is (571) 272-3776. The examiner can normally be reached on 8:30am-5:00pm.

Art Unit: 2194

5. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Qing-Yuan Wu

Patent Examiner

AU 2194



**MENG-AL T. AN**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2100**

***Attorney Docket RSW920010088US1***

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

In re application of Kent F. Hayes, Jr.

April 8, 2005

Serial Nbr: 09/892,585

Filed: June 26, 2001

For: Improved Technique for Scheduling Execution of Jobs for or by Network-Connected Devices

Art Unit: 2127

Examiner: Jennifer N. To

**INPUT FOR EXAMINER'S AMENDMENT**

Attn: Examiner Qing Wu  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

sent by fax to 571-273-3776

Dear Examiner Wu:

As we discussed by phone on April 5 and 7, 2005, please make the following amendments to the claims of the subject application as an Examiner's Amendment, thus allowing this case to proceed to issuance.

Serial No. 09/892,585

-1-

RSW920010088US1

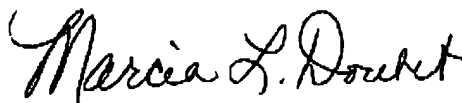
**Amendments to the Claims**

1 Claim 16 (currently amended): The method according to Claim 15, wherein ~~a particular one of~~  
2 the ~~[[jobs]]~~ job comprises fetching inventory information related to the requester's computing  
3 device from that device.

1 Claim 17 (currently amended): A method of improving resource distribution to network-  
2 connected devices, comprising steps of:  
3 determining whether a resource distribution job is available for a particular device;  
4 determining ~~an interval~~ a job-specific execution window over which the available job  
5 may be performed;  
6 determining an earliest time in the ~~interval~~ execution window when the available job may  
7 be executed for the particular device; and  
8 allowing the available job to be performed for or by the particular device only if the  
9 earliest time has been reached.

Claim 21 (canceled)

Respectfully submitted,



Marcia L. Doubet  
Attorney for Applicant  
Reg. No. 40,999

Customer Number for Correspondence: 43168  
Phone: 407-343-7586; Fax: 407-343-7587

Serial No. 09/892,585

-2-

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